

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

YAHKIMA GOMEZ-KA' DAWID, 04A0515,

Plaintiff,

-v-

08-CV-6530Fe
ORDER

LESTER WRIGHT, Asst. Deputy Commissioner; DR. DEACEVEDO; DR. JANE DOE; DR. WHALEN; MR. B. LECUYER, Head Nurse Practitioner; MS. WREST, Nurse Practitioner; MS. OBERTEAN, Nurse Practitioner; R. WOODS, Superintendent; Lieutenant LAREAU; Sergeant R. LYNCH; Sergeant P. WEST; Sergeant MENARD; C.O. G. DELANEY; C.O. MARTIN; C.O. TYLER; and Rabbi FRIEDMAN,

Defendants.

Plaintiff YAHKIMA GOMEZ-KA' DAWID, proceeding pro se, filed the complaint in this action on November 21, 2008. On March 27, 2009, the Court granted plaintiff's request to proceed in forma pauperis and directed the Clerk of Court to cause the United States Marshal to serve the summons and complaint. The Clerk of Court mailed the plaintiff U.S. Marshal Process Receipt and Return forms and a notice of plaintiff's obligations under Fed.R.Civ.P. 4(m) on April 1, 2009. Plaintiff has failed to return the U.S. Marshal Process Receipt and Return forms or otherwise effect service.

Accordingly, pursuant to Fed.R.Civ.P. 4(m) notice is hereby given that unless the plaintiff shows good cause, in writing, not later than February 12, 2010 for the failure to effect service of

process within the time limits specified by the Federal Rules of Civil Procedure, **this action will be dismissed without prejudice.**

SO ORDERED.

S/ MICHAEL A. TELESCA
MICHAEL A. TELESCA
United States District Judge

Dated: January 7, 2010

Rochester, New York